

PCT

NOTIFICATION OF ELECTION

(PCT Rule 61.2)

From the INTERNATIONAL BUREAU

To:

Assistant Commissioner for Patents
United States Patent and Trademark
Office
Box PCT
Washington, D.C. 20231
ETATS-UNIS D'AMERIQUE

in its capacity as elected Office

Date of mailing (day/month/year) 12 September 2000 (12.09.00)	
International application No. PCT/US99/28305	Applicant's or agent's file reference Dawson-Elli 6
International filing date (day/month/year) 01 December 1999 (01.12.99)	Priority date (day/month/year) 17 December 1998 (17.12.98)
Applicant DAWSON-ELLI, David, F. et al	

1. The designated Office is hereby notified of its election made:

☒ in the demand filed with the International Preliminary Examining Authority on:
04 May 2000 (04.05.00)

☐ in a notice effecting later election filed with the International Bureau on:

2. The election ☒ was
☐ was not

made before the expiration of 19 months from the priority date or, where Rule 32 applies, within the time limit under Rule 32.2(b).

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland	Authorized officer Nestor Santesso
Facsimile No.: (41-22) 740.14.35	Telephone No.: (41-22) 338.83.38

PATENT COOPERATION TREATY

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To: CARLSON, ROBERT L.
PATENT DEPARTMENT
SP-TI 3-1
CORNING INCORPORATED
CORNING, NY 14831
UNITED STATES OF AMERICA

PCT

NOTIFICATION OF TRANSMITTAL OF INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Rule 71.1)

Date of Mailing
(day/month/year)

28 MAR 2001

Applicant's or agent's file reference

DAWSON-ELLI 6

IMPORTANT NOTIFICATION

International application No.

PCT/US99/28305

International filing date

(day/month/year)
01 DECEMBER 1999

Priority Date (day/month/year)

17 DECEMBER 1998

Applicant

CORNING INCORPORATED

1. The applicant is hereby notified that this International Preliminary Examining Authority transmits herewith the international preliminary examination report and its annexes, if any, established on the international application.
2. A copy of the report and its annexes, if any, is being transmitted to the International Bureau for communication to all the elected Offices.
3. Where required by any of the elected Offices, the International Bureau will prepare an English translation of the report (but not of any annexes) and will transmit such translation to those Offices.
4. **REMINDER**

The applicant must enter the national phase before each elected Office by performing certain acts (filing translations and paying national fees) within 30 months from the priority date (or later in some Offices)(Article 39(1))(see also the reminder sent by the International Bureau with Form PCT/IB/301).

Where a translation of the international application must be furnished to an elected Office, that translation must contain a translation of any annexes to the international preliminary examination report. It is the applicant's responsibility to prepare and furnish such translation directly to each elected Office concerned.

For further details on the applicable time limits and requirements of the elected Offices, see Volume II of the PCT Applicant's Guide.

Name and mailing address of the IPEA/US
Commissioner of Patents and Trademarks
Box PCT
Washington, D.C. 20231

Facsimile No. (703) 305-3230

Authorized officer

CARL D. PRICE

Diane Smith

Telephone No. (703) 308-1953

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference DAWSON-ELLI 6	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/US99/28305	International filing date (day/month/year) 01 DECEMBER 1999	Priority date (day/month/year) 17 DECEMBER 1998
International Patent Classification (IPC) or national classification and IPC IPC(7): F23D 14/14 and US Cl.: 431/326		
Applicant CORNING INCORPORATED		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 3 sheets.
☐ This report is also accompanied by ANNEXES, i.e., sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority. (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).
 These annexes consist of a total of 0 sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the report
- II ☐ Priority
- III ☐ Non-establishment of report with regard to novelty, inventive step or industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 04 MAY 2000	Date of completion of this report 12 MARCH 2001
Name and mailing address of the IPEA/US Commissioner of Patents and Trademarks Box PCT Washington, D.C. 20231 Facsimile No. (703) 305-3230	Authorized officer CARL D. PRICE <i>Diane Smith for</i> Telephone No. (703) 308-1953

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/US99/28305

I. Basis of this report

1. With regard to the elements of the international application:*

☒ the international application as originally filed☒ the description:

pages 1-18, as originally filed

pages NONE, filed with the demand

pages NONE, filed with the letter of

☒ the claims:

pages 19-26, as originally filed

pages NONE, as amended (together with any statement) under Article 19

pages NONE, filed with the demand

pages NONE, filed with the letter of

☒ the drawings:

pages 1/7-7/7, as originally filed

pages NONE, filed with the demand

pages NONE, filed with the letter of

☒ the sequence listing part of the description:

pages NONE, as originally filed

pages NONE, filed with the demand

pages NONE, filed with the letter of

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language which is:

☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).☐ the language of publication of the international application (under Rule 48.3(b)).☐ the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

☐ contained in the international application in printed form.☐ filed together with the international application in computer readable form.☐ furnished subsequently to this Authority in written form.☐ furnished subsequently to this Authority in computer readable form.☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.4. ☒ The amendments have resulted in the cancellation of:☒ the description, pages NONE☒ the claims, Nos. NONE☒ the drawings, sheets/fig. NONE5. ☒ This report has been drawn as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).**

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17).

**Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.

INTERNATIONAL PRELIMINARY EXAMINATION REPORT

International application No.

PCT/US99/28305

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement**1. statement**

Novelty (N)	Claims <u>4-36,38,41-56</u>	YES
	Claims <u>1-3,37,39,40</u>	NO
Inventive Step (IS)	Claims <u>4-36,38,41-56</u>	YES
	Claims <u>1-3,37,39,40</u>	NO
Industrial Applicability (IA)	Claims <u>1-56</u>	YES
	Claims <u>NONE</u>	NO

2. citations and explanations (Rule 70.7)

Claims 1,37,39 and 40 lack novelty under PCT Article 33(2) as being anticipated by WALTERS. WALTERS shows a tapered burner manifold having a plurality of converging fluid passages (19) and a top section (14,22).

Claims 1-3 lack novelty under PCT Article 33(2) as being anticipated by JENKINS. JENKINS shows a tapered (figure 5) burner manifold having a plurality of converging fluid passages (68) and a top section (14,22).

Claims 1-3 lack novelty under PCT Article 33(2) as being anticipated by ARNOUT ET AL. ARNOUT ET AL shows a burner manifold having a plurality of converging fluid passages (4,5).

Claims 1-3 lack novelty under PCT Article 33(2) as being anticipated by MATSUO. MATSUO shows a burner manifold having a plurality of converging fluid passages (33).

Claims 4-36,38 and 41-56 meet the criteria set out in PCT Article 33(2)-(3), because the prior art does not teach or fairly suggest slot shaped outlets, a pressure restriction device, the combination of a manifold base, burner mount, mounting plate and plural stacked manifold elements.

Claims 1-56 meet the criteria set out in PCT Article 33(4), because the claimed burner manifold and method of making the burner manifold can be made and used in industry.

----- NEW CITATIONS -----
NONE

INTERNATIONAL SEARCH REPORT

International application No.
PCT/US99/28305

A. CLASSIFICATION OF SUBJECT MATTER

IPC(7) : F23D 14/14

US CL : 431/326

According to International Patent Classification (IPC) or to both national classification and IPC.

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

U.S. : 431/7,326,328; 425/308,376.1,382R,465,466; 239/418,422,548,552,566,568

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched
NONEElectronic data base consulted during the international search (name of data base and, where practicable, search terms used)
NONE

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category*	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	US 2,496,923 A (WALTERS ET AL) 07 February 1947, see element 13.	1,37,39, 40
X	US 2,054,601 A (JENKINS) 15 September 1936, see elements 47,68, 45.	1-3,37,39, 40
X	US 4,821,963 A (ARNOUT ET AL) 18 April 1989, see elements 5.	1-3
X	US 5,683,516 A (DEDONTNEY ET AL) 04 November 1997, see elements 17 and 18.	1-3
A	US 4,192,460 A (MATSUO) 11 March 1980, see the entire document.	1-3

☐ Further documents are listed in the continuation of Box C. ☐ See patent family annex.

* Special categories of cited documents:	*T* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
A document defining the general state of the art which is not considered to be of particular relevance	*X* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
E earlier document published on or after the international filing date	*Y* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art
L document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)	*G* document member of the same patent family
O document referring to an oral disclosure, use, exhibition or other means	
P document published prior to the international filing date but later than the priority date claimed	

Date of the actual completion of the international search

07 APRIL 2000

Date of mailing of the international search report

24 MAY 2000

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